SASKATCHEWAN HUMAN RIGHTS COMMISSION

Human Rights Education - Making a Difference

A 10-Year Report on Educational Activities

Saskatchewan Human Rights Commission

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PREFACE

The Saskatchewan Human Rights Code reflects our shared aspiration for a society in which "every person is free and equal in dignity and rights."[1] The purposes of the *Code* are not only to redress discrimination, but also to prevent it from occurring. For this reason, the *Code* requires the Saskatchewan Human Rights Commission to provide public education to eliminate discrimination and promote the values of equality and diversity.

On December 10th – International Human Rights Day - the Human Rights Commission is pleased to offer this report on its public education activities over the previous ten years. Coincidentally, it reflects the same period as the United Nations' 1995-2004 International Decade of Human Rights Education.

In broad terms, the goals of human rights education are:

- to prevent and redress discrimination, by informing people of their legal rights and responsibilities under *The Saskatchewan Human Rights Code;*
- to provide groups and individuals with tools and resources to promote equality within their own environments; and
- to support the overall development of a culture of equality, inclusion and mutual respect.

Recent events have underscored the importance of such education to Saskatchewan's social and economic well-being. The reports of the Stonechild Inquiry and of the First Nations and Métis Peoples Justice Reform Commission reveal an urgent need to bridge the gap between Saskatchewan's Aboriginal and non-Aboriginal residents. At the same time, demographic trends – including an aging workforce – show a need to enhance Saskatchewan's labour supply with the talent and energy of Aboriginal people, new immigrants, women, people with disabilities, and other groups whose skills may be frequently overlooked. Efforts to develop a provincial culture of inclusion will be especially important in tomorrow's world of changing demographics and global trade, as Saskatchewan competes for human resources and international markets.

[1] Section 3, *The Saskatchewan Human Rights Code.*

At this point in our history, we may see change as inevitable as well as necessary. Nevertheless, there are choices to be made. It is important to pursue change in a positive, cooperative manner that makes Saskatchewan a province where all groups can succeed and to which all persons can contribute. In pursuing that vision, human rights education can play an important role.

We have interspersed this report with quotations from a variety of groups and individuals. Some voices are from agencies responsible for human rights. Others are from the Commission's consultation on changes to *The Saskatchewan Human Rights Code* (the "Code review report").[2] Still others are from people who have attended educational events provided by the Commission.

I hope you will read this report with interest, and lend your support to ensuring that adequate and effective human rights education is made available to all Saskatchewan residents.

Donna Scott

Donna Scott, Q.C.
Chief Commissioner
Saskatchewan Human Rights Commission
December 10, 2005

[2] *Renewing the Vision: Human Rights in Saskatchewan* (Saskatoon: Saskatchewan Human Rights Commission, 1996).

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A Province For All Its Peoples

Human rights legislation is a relatively modern development, and like other provinces Saskatchewan has a disturbing history of discrimination. But our province has also been at the forefront of efforts to prevent discrimination. In 1947, Saskatchewan passed the first general human rights act in North America, *The Saskatchewan Bill of Rights Act*. While the connections between freedom, justice and peace were being debated world-wide, Saskatchewan passed the *Bill of Rights* well over a year before the General Assembly of the United Nations adopted the *Universal Declaration of Human Rights* on December 10, 1948.

> *"With all the world crying for a Bill of Rights, the progressive Province of Saskatchewan cannot be found wanting."*
>
> Attorney General J.W. Corman, on second reading of the Saskatchewan Bill of Rights Act, 19 March 1947

The present *Saskatchewan Human Rights Code* governs relationships between people in important public areas of life: education, employment, trade unions and professional associations, public contracts, purchase of property, rental accommodation and public services. In these areas, the Code prohibits discrimination based on religion, creed, colour, race or perceived race, nationality, ancestry, place of origin, age, gender, sexual orientation, marital status, family status, disability, or receipt of public assistance. Human rights protections continue to evolve as we become more conscious of the harmful effects of discrimination.

Everyone in Saskatchewan is entitled to the fundamental rights and freedoms contained in *The Saskatchewan Human Rights Code*. The *Code* promises equal opportunities for all, regardless of personal characteristics. Its protections are important to all Saskatchewan residents. For this reason, the *Code* takes precedence over provincial statutes which are inconsistent with it.

However, we cannot afford to be complacent. Many people still face discrimination in their daily lives. This causes harm to individuals and can lead to deep-rooted divisions between groups. We continue to need protective legislation, as well as effective strategies for informing people of the law and preventing discrimination from occurring.

COMMITMENT TO HUMAN RIGHTS EDUCATION

Human rights laws "contain basic commitments about how we want to live together. They cultivate the equal dignity, concern and respect necessary for a peaceful and prosperous society." [3] Section 3 of the *Code* expresses the broad, philosophical goals of the legislation, in language echoing article 1 of the *Universal Declaration of Human Rights.*

> *"The objects of this Act are:*
> *(a) to promote recognition of the inherent dignity and the equal inalienable rights of all members of the human family; and*
> *(b) to further public policy in Saskatchewan that every person is free and equal in dignity and rights and to discourage and eliminate discrimination."*
>
> Section 3, *The Saskatchewan Human Rights Code*

> *"All human beings are born free and equal in dignity and rights."*
> Article 1, *Universal Declaration of Human Rights*

Saskatchewan legislators recognized that equality and justice could not be achieved solely through a complaint process that comes into play after damage has been done. Necessary though enforcement is, it cannot ensure broad, positive change. For this reason, *The Saskatchewan Human Rights Code* emphasizes the importance of public education and research in preventing discrimination and promoting a culture of equality. Section 25, which outlines the Commission's broad duties, states that the Commission shall:

- forward the principle that every person is free and equal in dignity and rights
- forward the principle that cultural diversity is a basic human right and fundamental human value
- promote understanding and acceptance of and compliance with the *Code*
- develop and conduct educational programs designed to eliminate discriminatory practices
- disseminate information and promote understanding of the legal rights of Saskatchewan resident
- further the principles of equality of opportunity and equality in the exercise of legal rights
- conduct and encourage research by persons and associations actively engaged in the field of promoting human rights.

[3] *Renewing the Vision*, supra, note 2, p. 1.

Benefits of Public Education

(a) Fairness for individuals

Discrimination can have a devastating impact on individuals. It can affect the ability to earn a living, find housing, gain an education, and enjoy equality of opportunity in many important areas of daily life. Discrimination can erode self-confidence and self-esteem, causing people to believe that they are responsible for the unfair treatment they receive from others. Discrimination can also affect health and relationships.

Human rights education affirms the right to equality, dignity and self-respect for all individuals. It prevents discrimination by building broad public awareness of human rights and responsibilities.

> *"You've got to be taught to be afraid*
> *...of people whose skin is a different shade*
> *You've got to be carefully taught."*
> - Rodgers & Hammerstein, *South Pacific, 1958*

> *"Human rights education should be taught in the schools.*
> *Racism can be embedded by age seven. Educate parents too."*
> - *Code* review participant

> *"Education is the best defence against racism."*
> - *Canadian Council on Aboriginal Business,*
> *Code* review process

(b) The business advantage

Protecting human rights is good business practice. Perhaps this is one reason workplace seminars provided by the Commission have been very popular with employers and human resource staff.

A complaint of discrimination can be costly, leading to not only legal actions and penalties but also to poor staff morale and public relations, dysfunctional working relationships, absenteeism, low productivity and staff turnover. Discrimination that goes unchecked may be even more expensive because of its pervasive effects.

Human rights education can help employers prevent discrimination. But the benefits of education go far beyond cost control. Employers who can create positive and welcoming work environments have a competitive advantage in today's marketplace. The ability to attract and retain staff may be even more important in the years ahead. Landlords, service providers and educational institutions can also benefit from a sound understanding of human rights.

> *"We believe the commission should develop an educational thrust – not only through the actions of investigations, but also through the strengthening of a separate 'education service.'"*
>
> - Canadian Federation of Independent Business, *Code* review process

> *"I felt the employer in my case would not have made the same mistakes if it had been better educated regarding the substance of the Human Rights Code. I suspect an even greater emphasis on education would avoid many disputes."*
>
> - *Code* review participant who had served as a board of inquiry

(c) Social harmony

As noted above, human rights laws contain basic commitments about how we want to live together. Through public education, the Commission promotes recognition of "the inherent dignity and the equal inalienable rights of all members of the human family" and furthers Saskatchewan's policy that "every person is free and equal in dignity and rights."[4] These are ambitious goals, but ones that are important if we wish to live in harmony with one another.

> *"When my neighbour's rights are destroyed my own rights are threatened, and the only way…to guarantee preservation of one's own rights is to insist on protection for the rights of others."*
>
> - Attorney General J.W. Corman, on second reading of *The Saskatchewan Bill of Rights Act,* 19 March 1947

[4] Section 3, *The Saskatchewan Human Rights Code.*

In its final report, the Commission on First Nations and Métis Relations stated: "This Commission's vision is to help bring about *Meyo Wahkotowin*, working together to create a healthy, just, prosperous and safe Saskatchewan."[1] The report also points out the need to address racist attitudes: "Racism prevents healthy relationships.... The Commission heard that racism is taught at home, in the schoolyards and at work....It is made worse by wrong information."[5]

> *"We believe that education has the ability to empower each person and to create the conditions for full and equal participation, opportunity and benefit in society. In making the challenge of education equity a shared priority, the education system is strengthening its commitment to the development and well-being of all children and youth, and making a vital contribution to the well-being and prosperity of all the province's people and communities."*
>
> Equity in Education Forum, "An Invitation to Participate," 2001

Saskatchewan's official motto is "From many peoples, strength." Our province anticipates significant demographic and other changes in the near future. These are more likely to be positive and enriching if approached with a commitment to fairness and inclusion for all residents. Human rights education can help in this process.

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[5] Commission on First Nations and Métis Relations, *Final Report, Volume I* (Saskatoon, June 21, 2004), p. 7 – 3.

[6] *Ibid.*, p. 7 – 1.

Education in Action

In addressing its educational mandate, the Commission has drawn upon the public input and recommendations of the *Code* review process. [6] During that process, participants indicated there was still a strong need for basic human rights information. Others noted that you cannot protect or assert a right unless you know it exists. Some groups – including Aboriginal people, older residents, immigrants, people with disabilities and people from northern Saskatchewan – said the Commission's services should be more accessible. Some recommended outreach activities tailored to the needs of their communities, such as visits to friendship centres. Members of the business community also recommended educational outreach targeted to their needs. For example, they suggested that the commission provide workshops and seminars to employers and employees, and distribute printed materials to all businesses.

> *"When done well, [human rights education]…is invaluable and it is an area of work that national human rights institutions are in a unique position to do well….The problem is that the task is so massive and the available resources so limited. The potential audience for educational programmes is all those whose rights might be violated and all those who might violate them – that is to say, everyone."*
>
> *- Performance & legitimacy: national human rights institutions* (Versoix, Switzerland: International Council on Human Rights Policy, 2000), p. 80.

Appendix A summarizes the Commission's educational work between 1995 and 2004 under the following headings:

(a) Communications and Publications
(b) Public Education
(c) Community Outreach, Liaison and Support
(d) Policies, Guidelines and Submissions

This chart contains details of the Commission's ongoing and specific activities.

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[6] *Renewing the Vision*, supra, note 2.

As a small agency, the Human Rights Commission endeavours to use its resources strategically to achieve the greatest possible impact. One of its strategies has been to target key audiences in educational presentations. In response to requests from the business community, for example, the Commission developed full-day "Human Rights in the Workplace" seminars for employers, human resource personnel and union representatives in Saskatoon, Prince Albert and Regina. These seminars have always had waiting lists, with some participants traveling from other centres to attend them. The Commission has also offered half-day workshops on human rights law, the duty of accommodation, harassment prevention, and workplace issues.

The Commission responds to the needs of the community by providing presentations on request. It receives requests from a broad and diverse range of audiences, for public education on any matter covered by the *Code*, and delivers presentations to thousands of individuals each year. The groups requesting services typically include educational institutions, professional and labour organizations, public and private employers, government departments, community organizations, employment equity sponsors, and many others. Where the Commission cannot fill requests, it provides print and video resources, referrals, and other support.

The Commission also responds to notable gaps in service. In 2001 and 2002, for example, the Chief Commissioner visited nine northern communities, together with the Ombudsman and Children's Advocate. It was clear from those visits that many northern residents have insufficient knowledge of and access to human rights protections. Outreach to northern and Aboriginal communities will continue to be a priority for the Commission.

Increasingly, the Commission provides human rights education through partnerships with other groups and organizations. This strategy serves to promote common interests and disseminate human rights knowledge as widely as possible. (See Appendix C for a list of the Commission's organizational partners between 1995 and 2004.)

The Commission works with a wide range of groups. In the past decade, these have included the Public Legal Education Association (PLEA), the Saskatchewan Legal Education Society (SKLESI), numerous community

organizations and many government agencies including the Office of the Ombudsman, the Children's Advocate, the City of Saskatoon, Saskatchewan Learning, Saskatchewan Labour and Saskatchewan Justice.

Partnerships include working alliances with other human rights commissions as well. Appendix A, for example, grew out of a joint project initiated by the educational staff of members of CASHRA (the Canadian Association of Statutory Human Rights Agencies). In 1998, the Commission distributed an anti-racism poster to all schools in the provincial K to 12 system, in cooperation with the Canadian Human Rights Commission. In 2000, it launched a "Human Rights Are Everyone's Business" poster in collaboration with other CASHRA members.

The employers and educational institutions which have adopted equity programs should also be considered partners in progress towards equality. These programs currently cover approximately 42,500 employees, close to 80,000 students in K to 12 school divisions, and students in ten post-secondary institutions.

Some working alliances have focused on single events or projects, such as "Youth for Human Rights" conferences or the curriculum review committee for high school Law 30 classes. Other partnerships are major, ongoing initiatives. Of these, one of the most significant is the Equity in Education Forum, a network of all major players in the provincial, K to 12 system.

One of the Commission's priorities is to provide better access to human rights education for Aboriginal residents. In 2002, the Commission collaborated with the Aboriginal Friendship Centres of Saskatchewan, the Canadian Human Rights Commission and the Public Legal Education Association of Saskatchewan to produce *The Rights Path*, a handbook on human rights and other issues for Aboriginal people living in urban centres. That same year, the Commission entered another partnership with the Aboriginal Friendship Centres of Saskatchewan, an educational project entitled *Accessing Human Rights*. The goal of this multi-year project is to improve awareness of human rights protections among Aboriginal persons throughout Saskatchewan by providing on-site human rights training to the staff, board members and clients of friendship centres. The pilot phase of this project has just been completed.

"Working with vulnerable families, I see many families who are not aware of many of their rights!"

"I am more confident to give referrals to clients who come into our centre."

"Now I am able to tell people there are people willing to fight injustice."

"We've got the right to know <u>our</u> rights. "

Staff members of Aboriginal friendship centres
at human rights training session in January 2005

In addition to providing people with human rights information, the Commission attempts to build the capacity of other organizations to promote equality within their own organizations and environments.

A Look to the Future

Changing times have created new needs for how human rights education is delivered. Some of these - such as technological innovation and web-based learning - are challenges shared by every organization providing public education. Others may be specific to human rights education. In future years, the Commission would like to include the following strategies in its educational work:

- the development of partnerships and links with and among a variety of Commission audiences and stakeholders
- the enhancement of general and core educational strategies
- more effective use of technology
- strategic development and delivery of programs for maximum impact
- initiatives to build the capacity of other organizations to provide human rights education, for example through "train the trainer" materials
- the development of policies and guidelines that will help employers, educational institutions and others in their efforts to protect human rights
- the development of policies, resources and networking opportunities for the sponsors of equity programs
- continued efforts to ensure human rights information reaches the broadest possible audiences, for example through the educational system.

The Commission has also identified a number of new directions or priorities for human rights education. Racism has been identified as a serious problem in Saskatchewan, and it will be a major focus of the Commission's educational activities in the coming years. The Commission will also attempt to achieve positive, widespread change through an approach that may be termed "systemic advocacy." This approach will seek to maximize the Commission's educational efforts through the development of policies, guidelines, reports and public consultations on important issues, as well as through expanded partnerships.

The protection of human rights is a shared responsibility. Through public education, the Commission hopes to provide information and training to those who wish to do their part in achieving the transformative goals of *The Saskatchewan Human Rights Code.*

> *"Most NHRIs [national human rights institutions] see their role in education and training as a catalytic one. They work in conjunction with other public and private institutions capable of delivering these services in order to offer expertise and strategic advice. Such institutions may include the formal education sector, the training authorities for government personnel, other government departments, religious organizations, NGOs and the media."*
>
> *Performance & legitimacy: national human rights institutions*
> (Versoix, Switzerland: International Council
> on Human Rights Policy, 2000), p. 80

> *"The key to training officials is to make them feel that they need this training in order to do their job; it is not simply an optional extra or something that they do in order to impress. The approach that involves the NHRI [national human rights institution] training trainers from within the public institutions is valuable, not only because no human rights institution is going to have the capacity to do all the training itself, but also because it will give those trained an opportunity to contribute to the structure and content of the different training programmes for each sector. As far as possible human rights elements need to be integrated into the core training programmes, especially of bodies such as the military and police who are most likely to be responsible for serious human rights violations."*
>
> *Performance & legitimacy: national human rights institutions*
> (Versoix, Switzerland: International Council

On July 14, 2005, the General Assembly of the United Nations adopted Resolution 59/113 on a World Programme for Human Rights Education. The resolution stated, in part:

Recalling the relevant resolutions adopted by the General Assembly and the Commission on Human Rights concerning the United Nations Decade for Human Rights Education, 1995–2004,

Convinced that human rights education is a long-term and lifelong process through which everyone learns tolerance and respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Believing that human rights education is essential to the realization of human rights and fundamental freedoms and contributes significantly to promoting equality, preventing conflict and human rights violations and enhancing participation and democratic processes, with a view to developing societies in which all human beings are valued and respected,

Welcoming the proclamation by the General Assembly on 10 December 2004 of the World Programme for Human Rights Education, structured in consecutive phases, which began on 1 January 2005,

- *Adopts* the revised draft plan of action for the first phase (2005–2007) of the World Programme for Human Rights Education, which focuses on primary and secondary school systems.
- *Encourages* all States to develop initiatives within the World Programme and, in particular, to implement, within their capabilities, the plan of action.
- *Calls upon* all existing national human rights institutions to assist in the implementation of human rights education programmes consistent with the plan of action.

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